

HOUSE BILL 3538

By Maddox

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 4, relative to fines and forfeitures.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-420, is amended by deleting subsections (h) and (j) in their entirety and substituting instead the following:

(h) In addition to all other fines, fees, costs and punishments now prescribed by law, including the fee imposed pursuant to subsection (d), a drug testing fee in the amount of two hundred and fifty dollars (\$250) shall be assessed upon a conviction of or upon the granting of pretrial diversion under § 40-15-105 or judicial diversion under § 40-35-313 for a violation of any part of the Tennessee Drug Control Act, compiled in this part and title 53, chapter 11, parts 3 and 4.

(j) There is created a fund within the state treasury, to be known as the TBI drug chemistry unit drug testing fund.

(1) Moneys shall be deposited into the fund pursuant to subsection (i), and as may be otherwise provided by law, and shall be invested pursuant to § 9-4-603. Moneys in the fund shall not revert to the general fund of the state, but shall remain available for appropriation to the Tennessee bureau of investigation, as determined by the general assembly.

(2) Moneys in the TBI drug chemistry unit drug testing fund and available federal funds, to the extent permitted by federal law and regulation, shall be used to fund a forensic scientist position in each of the three (3) bureau crime laboratories, to employ forensic scientists to fill the positions and to purchase, maintain and upgrade the equipment and supplies necessary to carry out, in a

timely manner, the increased number of requests for determinations of weight and analysis of submitted substances. To the extent that additional funds are available, the funds shall be used to employ personnel, purchase equipment and supplies, pay for the education, training and scientific development of employees, or for any other purpose so as to further allow the bureau to analyze and return the results of testing done on submitted substances in a more efficient and expeditious manner.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.